

**SENATE FINANCE, WAYS AND MEANS COMMITTEE**

**AMENDMENT NO.** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

**AMEND Senate Bill No. 2478\***

**House Bill No. 3006**

by adding the following section after Section 1 and renumbering the existing sections accordingly:

SECTION 2. Tennessee Code Annotated, Section 67-5-1009 is further amended by designating the existing section as subsection (a) and by adding the following new subsection:

(b) To serve as the basis of a classification as open space land pursuant to this part, an open space easement executed for the benefit of a local government shall be preceded by a consultation with a local planning commission and shall be subject to cancellation by the local governing body only if all of the following conditions are met:

(1) the easement has been in effect for a period of at least ten (10) years;

(2) the local governing body determines that the open space is not needed in that location and that the public interest would be better served by cancellation of the easement;

(3) the local planning commission finds that the open space is not needed in that location and that the public interest would be better served by the cancellation of the easement; and

(4) the owner has paid to the county and municipality in which the land is situated an amount equal to the difference between the taxes actually paid during the ten (10) preceding years and the taxes computed during the ten (10) preceding years on the basis of fair market value and classification of the land as if the easement had not existed, as provided for in this section.

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

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Nothing in this subsection shall be deemed to prohibit the owner and the local government from agreeing to additional conditions that must be met before cancellation is allowed.

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____
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